

Mr. Poncio,

Thank you for conferring with me on June 18, 2025. Below is a summary of our discussion. Also, please review the attached advisory before filing it with the Court.

I. Document Collection Summary

The following table reflects the custodians UTSA has collected documents from to date, along with the document count per custodian:

| Custodian | Document Count |
|------------------------------------|-----------------------|
| Suzanne Patrick | 91,951 |
| Eric Brey | 79,663 |
| Joann Browning | 53,332 |
| Anson Ong | 51,806 |
| Ambika Mathur | 47,319 |
| Carlos Martinez | 33,940 |
| Kimberly Espy | 32,560 |
| Amina Qutub | 30,494 |
| Ashley Wallace | 30,455 |
| Michelle Stevenson | 26,300 |
| Jay Rossello | 22,232 |
| James Weaver | 19,786 |
| Taylor Eighmy | 19,762 |
| Stephen Bach | 15,071 |
| Liang Tang | 9,946 |
| Chih-Kai Liao | 8,603 |
| Ryna Medina | 5,358 |
| President Eighmy | 5,193 |
| UTSA (non-custodial) | 3,024 |
| Xiaoyan Wang | 727 |
| Liao Initial Disclosures (1/29/25) | 35 |
| Brendy Rincon Troconis | 9 |
| Plaintiff Liao Production | 3 |
| Hugo Giambini | 3 |
| Nehal Abu-Lail | 1 |
| Total | 587,573 |

Date Range Used: January 1, 2019 – February 20, 2025

Keywords Used:

- “teaching assist*”
- “research assist*”
- “GTA”
- “GRA”
- “TA”
- “RA”
- “financ* assist*”
- “financ* serv*”
- “Dissert*”
- “Thesi*”
- “discrimin*”
- “retaliat*”
- “harass*”
- “Chih-Kai”
- “Liao”
- “chih-kai.liao@utsa.edu”
- “chihkailiao0312@gmail.com”
- liaoc1@livemail.uthscsa.edu

The asterisk symbol (*) is used as a wildcard character to represent any number of characters following the root of a word. For example, using the search term “discrimin*” will capture all variations of the word, including “discriminate,” “discrimination,” “discriminatory,” and “discriminated.” This technique helps ensure that the search captures all relevant forms of the word, regardless of tense or suffix.

II. Plaintiff RFP Set 2 – Summary

| Request No. | Issue | Agreement | Outcome |
|-------------|---|---|--|
| 3 | All documents or communications authored or reviewed by Eric M. Brey that reference the hiring, contract renewal, funding, or termination of Zahra Rajabi, Jacob Brown, and Sheikh-imranud Ahmed. | The parties agreed that UTSA could limit the documents by searching the collected data for the words: “complaint,” “report,” “retaliation,” “discrimination.” Between Brey and the three former students. | UTSA will report its findings to Plaintiff by Friday June 27, 2025. Plaintiff will assess whether to withdraw or narrow. |

| Request No. | Issue | Agreement | Outcome |
|--------------------|--|--|--|
| 6 | All communications between Eric M. Brey and Zahra Rajabi in the timeframe between July 2019 to August 2022. | Agreed to search as above. | UTSA will report its findings to Plaintiff by Friday June 27, 2025. Plaintiff will assess whether to withdraw or narrow. |
| 15, 17, 18, 19, 24 | Plaintiff requests all communications, evaluations, policies, and records involving JoAnn Browning and various internal and external individuals or entities relating to Chih-Kai Liao, including UTSA staff, Vice Presidents, the President's Office, UT System officials, and external agencies. | Parties agree these Requests are overbroad. Plaintiff will discuss with his client on whether to narrow or withdraw. | Awaiting Plaintiff's response by Friday June 27, 2025. |
| 20 | Communication concerning Sean Flammer. | Privilege asserted. | Withheld; privilege log to be produced. |
| 24 | Communication with Savannah River Nuclear Solutions LLC/DOE re: DOE project. | The parties agreed that UTSA could limit the documents by searching the collected data for the words regarding "Savannah River Nuclear Solutions LLC, and Department of Energy regarding DOE project of "Turning Mercury Waste into a Useful Efficient Electrocatalyst" and its other word variations. | UTSA will report its findings to Plaintiff by Friday June 27, 2025. Plaintiff will assess whether to withdraw or narrow. |

III. Plaintiff RFP Set 3 - Summary

| Request No. | Issue | Agreement | Outcome |
|--------------|--|--|--|
| 3 | All documents or communications authored or reviewed by JoAnn Browning that reference the hiring, contract renewal, funding, or termination of Zahra Rajabi, Jacob Brown, and Sheikh-imranud Ahmed. | The parties agreed that UTSA could limit the documents by searching the collected data for the words: "complaint," "report," "retaliation," "discrimination." Between Brey and the three former students. | UTSA will report its findings to Plaintiff by Friday June 27, 2025. Plaintiff will assess whether to withdraw or narrow. |
| 8, 14-17, 22 | Plaintiff seeks all communications, evaluations, policies, and disciplinary records involving JoAnn Browning and numerous UTSA faculty, administrators, staff, and external entities concerning Chih-Kai Liao. | Parties agree these Requests are overbroad. Plaintiff will discuss with his client on whether to narrow or withdraw. | Awaiting Plaintiff's response by Friday June 27, 2025. |
| 18 | Communication concerning Sean Flammer. | Privilege asserted. | Withheld; privilege log to be produced. |
| 25 | Communication re: DOE project and allegations of negative reviews by Brey. | The parties agreed that UTSA could limit the documents by searching the collected data for the words regarding "Savannah River Nuclear Solutions LLC, and Department of Energy regarding DOE project of "Turning Mercury Waste into a Useful Efficient Electrocatalyst" and its other word variations. | UTSA will report its findings to Plaintiff by Friday June 27, 2025. Plaintiff will assess whether to withdraw or narrow. |

IV. Plaintiff RFP Set 4

Plaintiff agreed to review the 10,000+ documents UTSA has produced and consult with his client to determine whether additional discovery is necessary. If so, he may serve narrowed requests. The Parties agreed to hold RFP Set 4 in abeyance, noting that Request No. 1 alone would yield 21,793 documents.

With respect to discovery requests seeking communications between Dr. Abdelwahed and Liao, Plaintiff acknowledged that such requests are overbroad, given that Dr. Abdelwahed previously served as Plaintiff's academic advisor. As such, the communications between them are

likely to encompass a wide range of unrelated topics. Plaintiff further agreed to review the case filed by Dr. Abdelwahed, which is available on the court's online docket under Case No. 5:20-cv-01039-DAE in lieu of the requests involving Dr. Abdelwahed and Liao.

The Parties will confer again on Friday June 27, 2025, for UTSA findings and Plaintiff's responses regarding the overbroad requests.